

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
(Richmond Division)**

GABBY KLEIN, et al., Individually and on ) Civil Action No. 3:20-cv-00075-DJN  
Behalf of All Others Similarly Situated, )  
)  
Plaintiffs, )  
)  
vs. )  
)  
)  
ALTRIA GROUP, INC., et al., )  
)  
Defendants. )  
)  
)

**LEAD PLAINTIFFS' MOTION FOR FINAL APPROVAL OF CLASS ACTION  
SETTLEMENT AND APPROVAL OF PLAN OF ALLOCATION OF THE NET  
PROCEEDS OF THE SETTLEMENT**

PLEASE TAKE NOTICE that Lead Plaintiffs Donald and Sarah Sherbondy and Construction Laborers Pension Trust of Greater St. Louis (“Plaintiffs”), on behalf of themselves and all other members of the Settlement Class, by and through Lead Counsel Pomerantz LLP and Robbins Geller Rudman & Dowd LLP, will move this Court on March 31, 2022 at 12:00 p.m., before the Honorable David J. Novak, pursuant to Rule 23 of the Federal Rules of Civil Procedure, for entry of a Final Order and Judgment approving the proposed Settlement as fair, reasonable, and adequate and for entry of an Order approving the proposed Plan of Allocation for the net proceeds of the Settlement as fair, reasonable, and adequate.

PLEASE TAKE FURTHER NOTICE that in support of this motion, Lead Plaintiffs submit and are filing herewith: (i) Lead Plaintiffs' Memorandum of Law in Support of Motion for Final Approval of Class Action Settlement and Approval of Plan of Allocation; and (ii) the Joint Declaration of Jeremy A. Lieberman and David A. Rosenfeld in Support of (1) Lead Plaintiffs'

Motion for Final Approval of Class Action Settlement and Approval of Plan of Allocation of the Net Proceeds of the Settlement, and (2) Lead Counsel's Application for an Award of Attorneys' Fees and Expenses and Awards to Lead Plaintiffs Pursuant to 15 U.S.C. § 78u-4(a)(4).

A Proposed Order will be submitted with Lead Plaintiffs' reply submission on or before March 24, 2022, after the deadlines for objecting and seeking exclusion have passed.

Respectfully submitted,

DATED: February 24, 2022

By: /s/ Steven J. Toll

Steven J. Toll (VSB #15300)

Daniel S. Sommers

S. Douglas Bunch

COHEN MILSTEIN SELLERS & TOLL PLLC

1100 New York Ave., N.W., Suite 500

Washington, D.C. 20005

Telephone: 202/408-4600

202/408-4699 (fax)

stoll@cohenmilstein.com

dsommers@cohenmilstein.com

dbunch@cohenmilstein.com

*Local Counsel for Lead Plaintiffs*

Jeremy A. Lieberman

Michael J. Wernke

POMERANTZ LLP

600 Third Ave.

New York, NY 10016

Telephone: 212/661-1100

212/661-8665 (fax)

jalieberman@pomlaw.com

mjwernke@pomlaw.com

*Lead Counsel for Lead Plaintiffs Donald  
Sherbondy and Sarah Sherbondy*

Brian Schall  
THE SCHALL LAW FIRM  
1880 Century Park East, Suite 404  
Los Angeles, CA 90067  
Telephone: 310/301-3335  
brian@schallfirm.com

*Additional Counsel for Lead Plaintiffs Donald  
Sherbondy and Sarah Sherbondy*

Samuel H. Rudman  
David A. Rosenfeld  
Erin W. Boardman  
Philip T. Merenda  
ROBBINS GELLER RUDMAN  
& DOWD LLP  
58 South Service Rd., Suite 200  
Melville, NY 11747  
Telephone: 631/367-7100  
631/367-1173 (fax)  
srudman@rgrdlaw.com  
drosenfeld@rgrdlaw.com  
eboardman@rgrdlaw.com  
pmerenda@rgrdlaw.com

Ellen Gusikoff Stewart  
Douglas R. Britton  
Kevin A. Lavelle  
Matthew J. Balotta  
ROBBINS GELLER RUDMAN  
& DOWD LLP  
655 West Broadway, Suite 1900  
San Diego, CA 92101  
Telephone: 619/231-1058  
619/231-7423 (fax)  
elleng@rgrdlaw.com  
dough@rgrdlaw.com  
klavelle@rgrdlaw.com  
mbalotta@rgrdlaw.com

*Lead Counsel for Lead Plaintiff Laborers Pension  
Trust of Greater St. Louis*

**CERTIFICATE OF SERVICE**

I hereby certify that on February 24, 2022, I caused the foregoing to be electronically filed with the Clerk of Court via CM/ECF, which will send a notice of electronic filing to all registered users.

/s/Steven J. Toll

Steven J. Toll